



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

ILMA BABU - NACMIAS LAW FIRM PLLC 592PACIFIC STREET Brooklyn, NY 11217	Summons# : 000827154X et al. (1 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- THE PAY-O-MATIC CORP Hearing Date : 3/23/2026 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount : 0.00	Community Service(Hr): Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000827154X	Dismissed	10/18/2023	INTERSECTION OF LEONARD ST AND

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1E	24 -163	Dismissed	0.00

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

Ilma Babu the authorized representative of the Respondent THE PAY-O-MATIC CORP appeared at today's hearing.

The Petitioner, the Department of Environmental Protection, waived its appearance.

The Respondent is charged with idling over three minutes. This matter alleges a 2nd offense.

Ms. Babu argued the Respondent is an armored truck which needs to keep its engine on and subject to a variance.

I credit Mr. Babu and find the Respondent was the recipient of a variance at the time this summons was issued.

Accordingly, this summons is dismissed.



03/24/2026

03/24/2026

Steven Epstein, Judicial Hearing Officer

Date

Ilma Babu the authorized representative of the Respondent PENSKE TRUCK LEASING CORPORATION appeared at today's hearing.

The Petitioner, the Department of Environmental Protection, waived its appearance.

The Respondent is charged with idling over three minutes. This matter alleges a third offense.

Ms. Babu denied the allegation. She stated the cited truck was not idling. She argued there is no proof presented that this specific truck was idling.

I find Ms. Babu has raised a credible, uncontested defense with no evidence to the contrary.

Accordingly, this summons is dismissed.



03/24/2026

03/24/2026

Steven Epstein, Judicial Hearing Officer

Date